

Serial No. 09/765,383
Amdt. dated July 20, 2005
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REMARKS

Introduction

Claims 4, 5, 12, 13, 19, 21, 23, 27, 29, 36 and 40 are currently amended, former claims 1, 2, 7, 14, 24-26, and 32-35 are presently cancelled (former claims 3, 6, 8-11, 20 and 22 were previously cancelled), and new claims 41 and 42 added, such that claims 4, 5, 12-13, 15-19, 21, 23, 27-31, and 36-42 are currently pending.

Allowable Subject Matter

The Examiner has indicated that claims 32-34 and 36-39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Furthermore, the Examiner has indicated that claim 40 would be allowable if rewritten in to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

Claim Objections and Claim Rejections - 35 USC 112

The Examiner rejected claim 40 for containing an informality and under 35 U.S.C. 112. Such claim has been amended as suggested by the Examiner.

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Claim Rejections - 35 USC 102 and 35 USC 103

The Examiner has rejected claims 1-2, 5, 7, 12-13, 21 and 23-25 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,038,450 to Brink et al., and has rejected claims 4, 14-19, 26-31 and 35 as being unpatentable over U.S. Patent 6,038,450 to Brink et al. in view of various references. Reconsideration and withdrawal of these rejections are respectfully requested in view of the amended claims and for the reasons noted below.

Claims 1, 2, 7, 14, 24-26 and 35 have been cancelled and thus are no longer at issue.

Independent claim 12 has been amended to include the limitations of dependent claim 34 (now cancelled), which depended directly from claim 12, with minor amendments to clarify that the differences in propagation delays in at least some of the communications links are reduced. It is respectfully submitted that as the Examiner has indicated that claim 34 would be allowable if rewritten in independent form, amended independent claim 12 is allowable, as are claims 4, 5, 13 and 15-19 that each now depend, directly or indirectly, from claim 12.

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Independent claim 23 has been amended to include the limitations of dependent claim 33 (now cancelled), which depended directly from claim 23. It is respectfully submitted that as the Examiner has indicated that claim 33 would be allowable if rewritten in independent form, amended independent claim 23 is allowable, as are claims 27, 28, 29, 30 and 31 that depend, directly or indirectly, from claim 23.

Claim 36 has been redrafted as an independent claim to include all of the limitations of the base claim 12 and intervening claim 35, and accordingly is now directed to allowable subject matter as per the Examiner's comments, as are claims 37 38, 39 and 40 that depend, directly or indirectly, from claim 36.

Independent method claim 21 has been amended to include limitations similar to those found in amended device claim 23, which as indicated above is now directed to subject matter that the Examiner has indicated is allowable. Thus, it is submitted that method claim 21 is also directed to patentable subject matter.

Other Amendments and New claims

The dependencies in claims 4, 5 and 27 have been amended in view of the claim cancellations. Amendments have also been made to


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dependent claims 4, 13, 19 and 29 to account for amendments made to claims from which they depend. New dependent claims 41 and 42 have been added to further clarify the scope of the claimed invention.

It is believed that no fee is due; however, should that be incorrect, please charge Deposit Account No. 19-2105 and inform the undersigned.

Respectfully submitted,



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